

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

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CRM-M-16263-2022

Date of decision: 20.04.2022

Manjinder Singh Dhaliwal

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. P.P.S.Tung, Advocate for the petitioner.

SUVIR SEHGAL J. (ORAL)

Instant petition has been filed under Section 482 of Code of Criminal Procedure, 1973 (for short 'the Code') read with Section 439 of the Code for grant of ad-interim bail for a period of 3 weeks' to the petitioner in case FIR No.0053 dated 25.07.2021 registered under Sections 306, 34 of Indian Penal Code, 1860 (for short 'IPC') (later on converted into Section 304-B IPC) at Police Station Ajitwal, District Moga, Annexure P-1 due to the death of father of the petitioner.

Counsel for the petitioner submits that the petitioner is an accused and in custody in FIR, Annexure P-1. He submits that father of the petitioner has unfortunately expired on 14.04.2022 and his cremation took place on 16.04.2022, which the petitioner could not attend as he was behind bars. Counsel submits that the Bhog of the deceased is scheduled for 24.04.2022 from 12:00 to 1:00 p.m. at deceased Sahib, Village Chandiyana Sarki (Moga).

Notice of the petition to the respondent.

On asking of the Court, Mr. A.S. Gill, Senior DAG, Punjab, accepts notice on behalf of the respondent-State. He has verified the factual position and has got telephonic instructions from SI Amandeep. The fact of death of Sardar Sukhdarshan Singh Dhaliwal has been affirmed and it has also been ascertained that his Bhog is scheduled for 24.04.2022.

Having been heard counsel for the parties, this court is of the view that the presence of the petitioner is necessary at the time of the Bhog ceremony of his father. The petitioner is therefore, directed to be taken to Gurudwara Sahib, Village Chandiyana Sarki (Moga) where Bhog is fixed on 24.04.2022 in proper police custody as per rules and is ordered to be brought back to the jail premises in the evening of the same day.

Petition is disposed of.

20.04.2022

pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No